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The South Carolina Public Commission  
Attn: Docketing Department  
101 Executive Center Drive  
Columbia, South Carolina 29210

Re: Application of Chem-Nuclear Systems, LLC (SCPSC Docket No. 2000-366-A)  
(Fiscal Year 2003-2004 Proceeding)

Dear Madam or Sir:

On behalf of Chem-Nuclear Systems, LLC, a Division of Duratek, Inc., ("Chem-Nuclear"), I am writing in reply to the separate Petitions of the State Budget and Control Board ("the Board") and the Atlantic Compact Commission ("the Compact Commission") (collectively, "the Petitioners") for Reconsideration of Order No. 2004-349, dated July 23, 2004. The Petitioners seek relief in the nature of the correction of certain provisions in the Order to conform to a portion of Commission's internal Directive, dated June 2, 2004, which was the subject of the Commission's deliberative process in the proceeding in which the Order was issued. Chem-Nuclear respectfully requests the Commission to deny the relief which the Petitioners seek.

In the first place, the signed, published Order No. 2004-349, not the internal Directive, represents the Commission's final, enforceable decision. By the signature of the Chairman, the attestation of the Executive Director, and service on the parties, the Order becomes the Commission's final judgment, subject to reconsideration or rehearing, and judicial review for legal or factual error. In the event of any difference between an internal Directive, which has no legal effect in itself, and a final, published Order, the proper action is the internal, administrative one of conforming the language of the Directive to the Order not, vice versa.

Moreover, the Chairman's signature and the Executive Director's attestation signify that the Commissioners are in agreement with the decision which the Order embodies.

Finally, Order No. 2004-349 contains a detailed discussion of the evidence at pp. 10 and 12, describing the differences between the evidence presented by Chem-Nuclear and the Commission staff concerning the proper "allowable cost" for the skid used in transportation and disposal of the Maine Yankee Reactor Pressure Vessel. Furthermore, the Order fully discusses

the issue and evidence in the Commission's Conclusion of Law No. 3 at pp. 17-19. The Compact Commission's assertion that failure to correct Order No. 2004-349 would result in a violation of the South Carolina Administrative Procedures Act is simply without any basis in law or fact.

For the foregoing reasons, Chem-Nuclear respectfully requests this honorable Commission to deny the relief which the Board and the Compact Commission request.

Very truly yours,

A handwritten signature in black ink, reading "Robert T. Bockman". The signature is written in a cursive, flowing style. The first name "Robert" is written with a large, prominent "R". The middle initial "T." is written in a smaller, simpler script. The last name "Bockman" is written with a large, prominent "B" and a long, sweeping horizontal line extending to the right.

Robert T. Bockman

cc: F. David Butler, Esquire  
Edwin E. Evans, Esquire  
Frank R. Ellerbee, III, Esquire  
Elliott F. Elam, Jr., Esquire